

An. Code, 1924, sec. 325. 1912, sec. 266. 1914, ch. 652, sec. 15. 1922, ch. 231, sec. 266.

367. Any person who shall violate any of the preceding provisions of this sub-title shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five dollars nor more than one hundred dollars, or imprisoned not more than thirty days, or both fined and imprisoned, and his license may be revoked in the discretion of the court.

An. Code, 1924, sec. 326. 1912, sec. 267. 1914, ch. 652, sec. 16. 1927, ch. 535, sec. 326.

368. Any person holding a license under this sub-title who shall attach to his name or use the title M. D., Surgeon, Doctor, Physician, Eye Specialist, Eye-Sight Specialist, Oculist, Ophthalmologist, Doctor of Ophthalmology, Doctor of Optometry, Doctor of Optics, or any title containing the word Doctor or the abbreviation Dr., or any word or abbreviation that will or can convey the impression that he is engaged in the treatment of diseases or injuries of the human eye, or make use of drugs, medicine or surgery, in the practice of Optometry, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than two hundred dollars, or imprisoned not more than three months, or both fined and imprisoned, and his license may be revoked, in the discretion of the Court; provided, however, that any person who holds a standard examination certificate issued by the Maryland State Board of Examiners in Optometry to practice Optometry in the State of Maryland and who has received a degree from a legally chartered college having the authority to give the degree of "Doctor of Optics" or "Doctor of Optometry" may use the title Doctor of Optics or Doctor of Optometry in connection with his name.

The practice of optometry is not a learned profession in the historical meaning of the term, but a mechanical art, and the purpose of the statute is to protect the public against injury—not to protect the calling itself. *Dvorine v. Castelberg Corp.*, 170 Md. 661; *Barrenburg v. Greene* (Judge Smith, Circuit Court of Baltimore City), Daily Record, Nov. 22, 1939.

An. Code, 1924, sec. 327. 1912, sec. 268. 1914, ch. 652, sec. 17.

369. The provisions of this sub-title shall not apply nor be construed to apply to persons who sell Spectacles, Eye-Glasses or Lenses as merchandise, or to Opticians who furnish glasses on an order from an Oculist, or to physicians and surgeons who are authorized to practice in this State, or to dealers in Spectacles, Eye-Glasses or Lenses who neither practice nor profess to practice Optometry as defined in this sub-title.

1927, ch. 535, sec. 328.

370. Any optometrist practicing Optometry in the State of Maryland must use the word Optometrist and the word Optometrist only, in connection with his name wherever said name appears except as provided for in Section 369.

Cited in *Dvorine v. Castelberg Corp.*, 170 Md. 671.

1931, ch. 117.

371. If any clause, sentence, paragraph or section of this sub-title shall, for any reason, be adjudged by any court of competent jurisdiction to be unconstitutional or invalid, such adjudication shall not affect or impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph or section thereof so found unconstitutional or invalid. If any clause, sentence, paragraph or section of